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In re Application of	:	
NAKASHIMA	:	
Application No.: 10/586,867	:	DECISION ON PETITION
PCT No.: PCT/JP04/19077	:	
Int. Filing Date: 21 December 2004	:	UNDER 37 CFR 1.181
Priority Date: None	:	
Attorney Docket No.: 293603US2PCT	:	
For: LANDING DISPLAY DEVICE FOR ELEVATOR	:	

This decision is in response to applicant's "Petition Under 37 C.F.R. 1.181 to Withdraw Holding of Abandonment" filed 23 April 2007 in the United States Patent and Trademark Office (USPTO). No petition fee is required.

BACKGROUND

On 21 December 2004, applicant filed international application PCT/JP04/19077. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 29 June 2006. The deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 21 June 2007.

On 21 July 2006, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an English translation of the international application as filed and a signed declaration of the inventor.

On 02 April 2007, applicant was mailed a NOTIFICATION OF ABANDONMENT (Form PCT/DO/EO/909) informing applicant that applicant that above-identified application was abandoned as to the United States for failure to provide payment of the full U.S. Basic National Fee prior to the expiration of thirty months from the priority date. The notice indicated a priority date of 18 December 2003.

On 23 April 2007, applicant filed the present petition arguing that the underlying international application did not contain a priority claim and therefore the U.S. National stage entry of 21 July 2006 was timely.

DISCUSSION

A review of the application file, as well as applicant's present petition and supporting

materials, finds that the U.S. National stage entry was timely. International application PCT/JP04/19077 does not contain a priority claim. As such, the thirty month deadline for payment of the U.S. Basic National Fee is calculated from the international filing date. In this case the thirty month period was set to expire on 21 June 2007; applicant provided payment of the U.S. Basic National Fee on 21 July 2006.

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.181 is GRANTED.

The Form PCT/DO/EO/909 mailed 02 April 2007 is hereby VACATED.

The application has an international filing date of 21 December 2004 under 35 U.S.C. 363 and will be given a date of **21 July 2006** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision, namely the issuance of a "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) and a filing receipt indicating the 371 date as detailed above.



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